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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,363	06/26/2003	Santosh Savekar	14680US02	6108

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EXAMINER	
FABER, DAVID	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/607,363	SAVEKAR, SANTOSH	
	Examiner	Art Unit	
	David Faber	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 June 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the application filed 26 June 2003. Applicant's preliminary amendment of 19 February 2004 has been entered.

This action is made Non-Final.

2. Claims 1-17 are pending. Claims 1, 7, and 13 are independent claims.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Video Playback Process 400, and SPDIF Generator 470 in Figure 4. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 15, and 17 objected to because of the following informalities:

5. Claim 15, "comprise" appears to be a typographical error. It is believed it should be "comprises."

6. Claim 17, depends on Claim 7, was believed intended to depend on Claim 13, and has been treated as such for the remainder of this Office action. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. Claim 12 recites the limitation "the selection" in line 3. It is unclear whether this is intended to be the same as or different from "selecting" in Claim 11, line 4. Thus, "the selection" lacks clear antecedent basis.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (US Patent 5600775; 2/4/1997) in further view of Wallace et al (USPGPub 2002/0208112; filed 2/2/2001)

As per independent Claim 1, King et al substantially discloses a method for annotating a frame said method comprising:

- receiving a data structure comprising representation of a first frame (Column 2, lines 35-37);
- processing a representation of the first frame (Column 2, lines 35-37);
- creating a graphic (Column 2, lines 49-51),
- annotating the graphic and the first frame, thereby resulting in a second frame. (Column 2, lines 31-34)

King et al discloses created annotations that include free-hand bitmap drawings (graphics). In addition, Applicant discloses the graphic displays at least one parameter. In the specification, Applicant disclose a parameter that consists of decode time or presentation time. Thus, the graphic displays time information. King et al discloses that such video frames are indexed by frame number and uses the example, QuickTime, having its index as a video time parameter.

King et al states "digital frames ...are annotated with text, graphics, and digital audio without modifications to the original video information." King et al's disclosure is equivalent which a second frame is created with the annotation since the original video information (frame) is unaltered.

King et al fails to specifically disclose compressing and decompressing data frames. However, King et al mentions in, e.g. Column 1, lines 35 & 64, that data files are huge and required some form of data reduction for efficient data processing. Accordingly, Wallace et al discloses a process of generating annotations wherein data

frames are compressed to be subsequently decompressed based on MPEG standard in paragraph 0026, line 3.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to modify King et al's annotation method by including therein data compression and decompression means with full motion digital video frames. One of the ordinary skill in the art at the time of the Applicant's invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware; therefore, would have used Wallace et al's process prior to using King et al's annotation method.

King et al further fails to specifically disclose that a representation of a frame includes at least one parameter. However, the Applicant discloses within the specification on the MPEG standard specifying that it includes decode time and presentation time parameters.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to know using King et al's annotation method with full motion digital video frames and other index structures to include the MPEG video format based on its standards, since Applicant's disclosure that the time information parameters are a MPEG standard. One of the ordinary skill in the art at the time of the Applicant's invention of annotating video would use the MPEG format for its video and time attributes.

As per dependent Claim 2, King et al discloses that it is inherent that a simple scaling is done at a 1:1 ratio to the size of the original frame when the second frame is created by annotation.

As per dependent Claim 3, King et al further discloses that the indexed data structures have a frame number associated with it. Video formats, e.g. QuickTime that King et al discloses, have the index as a video timing parameter. (Column 6, lines 35-37)

As per dependent Claim 4, King et al fails to disclose that the graphic is selected from a group consisting of a header, a footer, and a margin. However, Wallace et al discloses, e.g. Figure 3 and 4 and paragraph 0037, that the frame includes a header, and a footer.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to use King et al's annotation method of with Wallace et al's sample frame, within a data structure, that includes a header, which uniquely identifies the frame (paragraph 0037) since it would have allowed a user to identify the position of a header and its purpose for annotating display time or text without stealing focus of the main intention of the frame.

As per dependent Claim 5, King et al further discloses "an annotation manager includes resources to select in response to user input an indexed data structure to be annotated and resources to create, in response to user input, an annotation data structure." (Column 2, lines 64-67) King et al's statement is equivalent that a number of

parameters are present and receives an indication to user input or selecting a parameter.

As per dependent Claim 6, King et al further discloses that "a graphical user interface is provided having a window for displaying the indexed data structures" and an annotation control window that includes graphical user elements providing access to tools for providing user input, frame selection for annotation, and annotation creation. (Column 2, paragraph 3) In addition, Column 2, line 64 – Column 3, line 1, disclose an indication when the user inputs data.

As per independent Claim 7, Claim 7 recites similar limitations as in Claim 1 and is rejected under rationale. Furthermore, King et al discloses a decoder for annotating a frame, said decoder comprising:

- memory for storing a data structure, the data structure comprising a compressed representation of a first frame and at least one parameter; (FIG 1, block 14)
- frame buffer for storing a second frame, the second frame comprising the first frame and the graphic. (Column 6, lines 51- Column 7, line 11; FIG 1, block 12).

King et al fails to specifically to disclose a decompression engine. However, referring to the rejection of Claim 1 and the rationale incorporated herein, wherein King et al and Wallace et al discloses an annotation method wherein data frames are compressed to be subsequently decompressed. Furthermore, a decompression engine is inherently present to perform the functionality of Wallace et al's disclosure since Wallace et al teaches the functionality of a decompression scheme of MPEG-2.

As per dependent claim 8, King et al further discloses a display controller (FIG 1, block 12) that "drives a monitor displaying a graphic user interface" (Column 4, lines 5-9) which inherently contains the scaling capability of a frame based on the rejection of claim 2.

As per dependent claim 9, Claim 9 recites similar limitations as in Claim 3 and is rejected under rationale.

As per dependent claim 10, Claim 10 recites similar limitations as in Claim 4 and is rejected under rationale.

As per dependent claim 11, King et al further discloses a processor is included in Figure 1, block 10, which performs the indication previously rejected in Claim 5.

As per dependent claim 12, King et al further discloses in Figure 1, block 10 and Column 4, lines 5-9, showing that a processor is connected to the display controller by a bus in which the display controller displays a graphical user interface.

As per claim independent claim 13, Claim 13 recites similar limitations as in Claim 7 and is rejected under rationale. Furthermore King et al discloses a decoder for annotating a frame, said decoder comprising:

- memory storing a data structure, the data structure comprising a compressed representation of a first frame and at least one parameter; (FIG 1)
- a decompression engine connected to the memory; and

Based on the rejection of the decompression engine in claim 7 and the rationale incorporated within, the decompression engine is inherently connected to the memory

since data is transported throughout by computer signals based on system in King et al (FIG 1) in order perform the decompression functionality.

- a frame buffer connected to the decompression engine, wherein

the frame buffer stores a second frame, the second frame comprising the first frame and a graphic created by the decompression engine, said graphic displaying the at least one parameter.

Based on the rejection of the decompression engine in claim 7 and the rationale incorporated within, the decompression engine is inherently connected to the frame buffer since data is transported throughout by computer signals based on system in King et al (FIG 1) in order perform the decompression functionality.

As per dependent claim 14, King et al further discloses in FIG 1, block 12, that the display engine, rejected base on King et al's display controller, is connected to the frame buffer.

As per dependent claim 15, Claim 15 recites similar limitations as in Claim 3 and is rejected under rationale.

As per dependent claim 16, Claim 16 recites similar limitations as in Claim 4 and is rejected under rationale.

As per dependent claim 17, a processor is inherently connected to all computers components and engines of a system based on King et al's Figure 1 since data is transported back and forth throughout by computer signals.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Jones et al (US Patent 5644334): Discloses selecting plurality of parameters on a graphical user interface
- Davis (USPGPub 20020188630 A1): Discloses annotating a sequence of frames
- de Queiroz (US Statutory Invention Reg. H0001684): Discloses compressing images.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Faber whose telephone number is 571-272-2751. The examiner can normally be reached on M-F from 8am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Faber
Examiner
Art Unit 2178

STEPHEN HONG
SUPERVISORY PATENT EXAMINER